THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.30117 OF 1995

18.4.2006

Between:

K.L.N.Raju, S/o.Narasimha Raju
and another

… Petitioners

AND

The Secretary, Government of Andhra Pradesh,

Revenue Department, U.C.II, Secretariat Buildings, Hyderabad.

And others

… Respondents

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ORDER:

Sri K.L.N.Raju, filed a declaration under Section 6 of Urban Land (Ceiling and Regulation) Act, 1976 (the Act, for brevity), the third respondent determined the surplus vacant land at 978 Sq.meters and issued final statement on 19.6.1986. Aggrieved by the same, Sri K.L.N.Raju preferred appeal before the second respondent, who by impugned order dated 14.11.1995 (communicated vide proceedings C.No.UC1/2047/1986) dismissed the appeal. This is challenged in the present writ petition. During thependency of the writ petition, Sri K.L.N. Raju died and his legal representatives (in addition to second petitioner, who is son of first petitioner, Sri K.L.N.Raju) are also brought on record today.

The petitioners urged before the second respondent that the second

petitioner being a member of joint family is entitled for one holding of 1,000 Sq.meters as the property was purchased from out of joint family funds. A finding is recorded that as on the date of filing of application the second petitioner was a minor, additional unit cannot be granted to the first petitioner. This Court does not find any infirmity. However, it is brought to the notice of this Court that sons of Sri K.L.N. Raju filed application under G.O.Ms.No.455, dated 29.7.2002, seeking regularization of about 978 Sq.meters duly paying necessary amounts. The same is pending with the Government. There cannot be any objection for the Government to consider the same in accordance with the present policy to regularize excess vacant land. Though this Court is not inclined to interfere with the impugned order, the writ petition is disposed of directing the first respondent to consider the application made by the petitioners/subsequent purchasers for regularization in accordance with G.O.Ms.No.455 or 456.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

April 18, 2006

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